

## **MEMORANDUM # 5-98**

### **Permit Information - Acreage Amendments** (issued 9/18/98, updated 10/1/01)

Consistent with 4 VAC 25-130-774.13(d), any request for a non-incidental extension to the area covered by an existing permit shall be made by application for a new permit (forms – **DMLR-PT-034e, DMLR-PT-034p, & DMLR-PT-034o**).

The Permittee may use one of the following to add **non-incidental acreage**, the application may:

1. Be for a completely new permit for the proposed area (new permit number would be issued).
2. Add the proposed acreage to the existing permit (permit number would remain the same, with the same anniversary and expiration dates). The application can reference applicable portions of the approved permit plans (with copies of the relevant sections included); however, it must provide all the information required for approval of a new permit for the proposed additional area. If the additional area affect any portions of the existing permit plans, those portions must also be updated and included with the application package.

Should DMLR find that the new area is not a functional extension of the existing permit, but rather a separate operation, the DMLR may require an application for a separate permit.

### **Incidental Boundary Revisions (IBR)**

4 VAC 25-130-774.13(d)

Include only minor changes to permit boundaries that are incidental to the approved operations (i.e., road alignment, drainage alignment, parking areas, additional entries/punchouts for underground operations, or other non-coal removal functions necessary for the orderly and continuous conduct of the approved operation).

- Proposal to increase area available for coal removal will not be accepted as an IBR unless the coal removal is incidental to the primary purpose of the revision.
- DMLR may approve *small adjustments* to permit boundary as an IBR when there is no net increase in the permitted area.